United Nations A/63/PV.83

General Assembly

Sixty-third session

Official Records

83rd plenary meeting
Tuesday, 12 May 2009, 10 a.m.
New York

President: Mr. D'escoto Brockmann ..... (Nicaragua)

In the absence of the President, Mr. Mbuende (Namibia), Vice-President, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 122 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/63/725/Add.5)

The Acting President: In keeping with established practice, I would like to draw the attention of the General Assembly to document A/63/725/Add.5, in which the Secretary-General informs the President of the General Assembly that, since the issuance of his communication contained in documents A/63/725 and addenda 1 to 4, Malawi has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of the information contained in that document?

It was so decided.

Agenda item 104 (*continued*)

Elections to fill vacancies in subsidiary organs and other elections

(c) Election of eighteen members of the Human Rights Council

The Acting President: Members will recall that, at the 80th plenary meeting of its sixtieth session, the General Assembly, under the terms of reference outlined in resolution 60/251 of 15 March 2006, elected 47 members of the Human Rights Council. At the same meeting, in accordance with paragraph 14 of resolution 60/251 and by a drawing of lots, 18 Member States from among the 47 were chosen for a three-year term of office ending on 18 June 2009.

Furthermore, in accordance with decision 60/555 of 9 May 2006, pertaining to the staggering of terms of membership, the 18 seats with a three-year term of office were distributed among the regional groups as follows: five seats for the Group of African States; five seats for the Group of Asian States; two seats for the Group of Eastern European States; three seats for the Group of Latin American and Caribbean States; and three seats for the Group of Western European and other States.

The 18 Member States whose terms will expire on 18 June 2009 are Azerbaijan, Bangladesh, Cameroon, Canada, China, Cuba, Djibouti, Germany, Jordan, Malaysia, Mauritius, Mexico, Nigeria, the Russian Federation, Saudi Arabia, Senegal, Switzerland and Uruguay. Those Member States are eligible for immediate re-election.

The following States will remain members of the Human Rights Council: Angola, Argentina, Bahrain, the Plurinational State of Bolivia, Bosnia and Herzegovina, Brazil, Burkina Faso, Chile, Egypt, France, Gabon, Ghana, India, Indonesia, Italy, Japan, Madagascar, the Netherlands, Nicaragua, Pakistan, the Philippines, Qatar, the Republic of Korea, Slovakia,

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Slovenia, South Africa, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Zambia. The names of those States, therefore, should not appear on ballot papers.

The General Assembly will now proceed to the election of 18 members of the Human Rights Council. In accordance with resolution 60/251, membership in the Council shall be open to all States Members of the United Nations and the members of the Council shall serve for a period of three years and shall not be eligible for immediate re-election after two consecutive terms. The members of the Council shall be elected directly and individually, by secret ballot, by the majority of the members of the General Assembly. Accordingly, for the present election, 97 votes constitute a majority in the General Assembly, which has a membership of 192 Member States.

The election will be held in accordance with the relevant rules of procedure of the General Assembly on elections. For this election, rules 92 and 94 of the rules of procedure of the General Assembly shall be applied.

Members are reminded that, in accordance with rule 94, if the number of candidates obtaining the required majority after the first ballot is less than the number of members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible member.

Consistent with the practice of the General Assembly, if more than the required number of Member States have obtained the votes of the majority of the members of the Assembly on the same ballot, those Member States that have obtained the largest number of votes above the required majority will be considered as elected, up to the number of seats to be filled. Also, consistent with past practice, in the case of a tie vote for a remaining seat, there will be a special restricted ballot limited to those candidates that have obtained an equal number of votes.

May I take it that the General Assembly agrees to those procedures?

It was so decided.

The Acting President: Accordingly, the election shall be held by secret ballot and there shall be no nominations.

Again, I should like to repeat that the 18 vacant seats are to be filled from among the regional groups as follows: five seats from among the Group of African States, five seats from among the Group of Asian States, two seats from among the Group of Eastern European States, three seats from among the Group of Latin American and Caribbean States, and three seats from among the Group of Western European and other States. The ballot papers reflect that pattern.

As stated in resolution 60/251, when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto. In addition, I have been informed by the Secretariat that the voluntary pledges and commitments made by Member States in accordance with operative paragraph 8 of General Assembly resolution 60/251 of 15 March 2006 were, accordingly, issued as an official document of the General Assembly at its sixty-third session.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Ballot papers marked "A", "B", "C", "D" and "E" will now be distributed. Ballot A, for the African States Group, has five blank lines for the five seats. Ballot B, for the Asian States Group, also has five blank lines for the five seats. Ballot C, for the Eastern European States Group, has two blank lines for the two seats. Ballot D, for the Latin American and Caribbean States Group, has three blank lines for the three seats. Ballot E, for the Western European and other States Group, has three blank lines for the three seats.

I request representatives to use only those ballot papers and to write on them the names of the States for which they wish to vote. A ballot paper containing more names from the relevant region than the number of seats assigned to it will be declared invalid. A ballot will also be declared invalid if all the names of the Member States on that ballot do not belong to the relevant region. If a ballot paper of a region contains the names of some Member States that do not belong to

that region or that are already members of the Council, the ballot remains valid, but the names of Member States that do not belong to that region or that are already members of the Council will not be counted at all.

At the invitation of the President, Mr. Torres (Colombia), Ms. Jónsdóttir (Iceland), Mr. Sunelaitis (Lithuania), Ms. Uushona (Namibia), Ms. Vaz Patto (Portugal), Mrs. Jayasuriya (Sri Lanka), Ms. Wairatpanij (Thailand) and Mrs. Mwingira (United Republic of Tanzania) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.30 a.m. and resumed at 11.55 a.m.

The Acting President: The result of the voting is as follows:

Group A – African States

Number of ballot papers:	191
Number of invalid ballots:	0
Number of valid ballots:	191
Abstentions:	0
Number of members voting:	191
Required absolute majority:	97
Number of votes obtained:	
Senegal	165
Mauritius	162
Nigeria	148
Cameroon	142
Djibouti	141
Kenya	133

Group B – Asian States

Number of ballot papers:	191
Number of invalid ballots:	0
Number of valid ballots:	191
Abstentions:	2
Number of members voting:	189
Required absolute majority:	97
Number of votes obtained:	
Jordan	178
Kyrgyzstan	174
Bangladesh	171
China	167
Saudi Arabia	154
Malaysia	2

Group C – Eastern European States

Number of ballot papers:	191
Number of invalid ballots:	0
Number of valid ballots:	191
Abstentions:	1
Number of members voting:	190
Required absolute majority:	97
Number of votes obtained:	
Russian Federation	146
Hungary	131
Azerbaijan	89

Group D – Latin American and Caribbean States

Number of ballot papers:	191
Number of invalid ballots:	2
Number of valid ballots:	189
Abstentions:	2
Number of members voting:	187
Required absolute majority:	97
Number of votes obtained:	
Mexico	175
Uruguay	173
Cuba	163

Group E – Western European and other States

Number of ballot papers:	191
Number of invalid ballots:	2
Number of valid ballots:	189
Abstentions:	4
Number of members voting:	185
Required absolute majority:	97
Number of votes obtained:	
Norway	179
Belgium	177
United States of America	167
Switzerland	2
Greece	1
New Zealand	1

The Acting President: Having obtained the required majority and the largest number of votes of the members of the General Assembly, the following 18 States are elected members of the Human Rights Council for a three-year term of office beginning on 19 June 2009: Bangladesh, Belgium, Cameroon, China, Cuba, Djibouti, Hungary, Jordan, Kyrgyzstan, Mauritius, Mexico, Nigeria, Norway, the Russian Federation, Saudi Arabia, Senegal, the United States of America and Uruguay.

I congratulate those States that have been elected members of the Human Rights Council, and I thank the tellers for their assistance in this election.

This concludes our consideration of sub-item (c) of agenda item 104.

The meeting rose at 12.05 p.m.